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| APPLICATION NO.                      | FILING DATE    | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------|----------------|----------------------|---------------------|------------------|
| 09/852,360                           | 05/09/2001     | Gopikrishna T. Kumar | 10007291-1          | 4719             |
| 7                                    | 590 09/07/2006 | EXAMINER             |                     |                  |
| HEWLETT-PACKARD COMPANY              |                |                      | WILLIAMS, JEFFERY L |                  |
| Intellectual Property Administration |                | ART UNIT             | PAPER NUMBER        |                  |
| P.O. Box 272400                      |                |                      | THI DICTIONIDEN     |                  |
| Fort Collins, C                      | O 80527-2400   |                      | 2137                |                  |

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|  |  | Application No.   | Applicant(s)   |                        |  |  |
|--|--|---|--|------------------------|--|--|
| Office Action Summary  |  | 09/852,360  | KUMAR ET AL.   |                        |  |  |
|  |  | Examiner  | Art Unit   |                        |  |  |
|  |  | Jeffery Williams  | 2137   |                        |  |  |
| Period fo  | The MAILING DATE of this communication ap<br>or Reply  | pears on the cover sheet v  | with the correspondence a  | ddress                 |  |  |
| THE  <br>- Exter<br>after<br>- If the<br>- If NO<br>- Failu<br>Any ( | ORTENED STATUTORY PERIOD FOR REPL<br>MAILING DATE OF THIS COMMUNICATION assions of time may be available under the provisions of 37 CFR 1. SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a repression of the properties of the period for reply is specified above, the maximum statutory period reto reply within the set or extended period for reply will, by statutely received by the Office later than three months after the mailing patent term adjustment. See 37 CFR 1.704(b). | 136(a). In no event, however, may a<br>oly within the statutory minimum of th<br>will apply and will expire SIX (6) MC<br>te, cause the application to become A | a reply be timely filed  irty (30) days will be considered time  DNTHS from the mailing date of this of ABANDONED (35 U.S.C. § 133). | ely.<br>communication. |  |  |
| Status   |  |   |  |                        |  |  |
| 1)⊠  | Responsive to communication(s) filed on 27.  | lune 2006.  |  |                        |  |  |
| 2a)⊠   | This action is <b>FINAL</b> . 2b) ☐ Thi  | s action is non-final.  |  |                        |  |  |
| 3) 🗌   |  |   |  |                        |  |  |
| Dispositi  | on of Claims   |   |  |                        |  |  |
| 5)□<br>6)⊠<br>7)□  | 4) Claim(s) 1-13 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) 1-13 is/are rejected.  7) Claim(s) is/are objected to.  |   |  |                        |  |  |
| Applicati  | ion Papers   |   |  |                        |  |  |
| 9)⊠  | The specification is objected to by the Examin   | er.   |  |                        |  |  |
| 10)🖂   | The drawing(s) filed on 09 May 2001 is/are: a  | ı)∏ accepted or b)⊠ obje  | ected to by the Examiner.  |                        |  |  |
|  | Applicant may not request that any objection to the  | e drawing(s) be held in abeya   | ance. See 37 CFR 1.85(a).  |                        |  |  |
| 11)  | Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the E   |   |  | · ·                    |  |  |
| Priority (   | ınder 35 U.S.C. § 119  |   |  |                        |  |  |
| a)l  | Acknowledgment is made of a claim for foreig  All b) Some * c) None of:  1. Certified copies of the priority documer  2. Certified copies of the priority documer  3. Copies of the certified copies of the pri- application from the International Burea  See the attached detailed Office action for a lis   | nts have been received.  Its have been received in onty documents have bee au (PCT Rule 17.2(a)).   | Application No n received in this Nationa  | I Stage                |  |  |
| 2) Notic   | t(s)<br>e of References Cited (PTO-892)<br>e of Draftsperson's Patent Drawing Review (PTO-948)<br>mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08  | Paper No. 5) Notice of  | v Summary (PTO-413)<br>o(s)/Mail Date<br>f Informal Patent Application (PT   | O-152)                 |  |  |
| Paper No(s)/Mail Date 6)  Other:                                     |  |   |  |                        |  |  |

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| 1                          | DETAILED ACTION  |
|----------------------------|--|
| 2                          |  |
| 3                          | This action is in response to the communication filed on 6/27/06.  |
| 4                          | All objections and rejections not set forth below have been withdrawn.   |
| 5                          | Claims 1 – 13 are pending.   |
| 6                          |  |
| 7                          |  |
| 8                          | Specification  |
| 9                          |  |
| 10                         | The specification is objected to as failing to provide proper antecedent basis for   |
| 11                         | the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction   |
| 12                         | of the following is required: Claims 1, 4, 5, 10, and 11 each have the added limitation  |
| 13                         | "while the respective connection between the mobile devices to the application program   |
| 14                         | are established and for communications within the respective session" [or similar]. The  |
| 15                         | specification fails to provide proper antecedent basis for this limitation.  |
| 16                         |  |
| 17                         |  |
| 18                         | Claim Rejections - 35 USC § 112  |
| 19                         |  |
| 20                         | The following is a quotation of the first paragraph of 35 U.S.C. 112:  |
| 21<br>22<br>23<br>24<br>25 | The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention. |

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1 Claims

Claims 1 – 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. See above rejection to the specification.

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## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

12 A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 3, 4, 11 – 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Aziz et al. (Aziz), U.S. Patent, 6,643,701.

Regarding claim 1, Aziz discloses:

generating at the gateway module respective first session identifiers upon receipt of initial requests from the mobile communication devices at the gateway module and transmitting the first session identifiers to the application program (8:15-22). Herein,

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1 Aziz discloses the use of SSL to establish sessions. As is evidenced by Kocher

- 2 (Kocher et al., "The SSL Protocol Version 3.0"), Aziz discloses the sending of first
- 3 session identifiers to the application program (Aziz, fig. 3:330; Kocher, pg. 21 "hello
- 4 message").

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5 associating the first session identifiers with corresponding second session

6 identifiers from the application program at the gateway module (8:15-33). Again, Aziz

shows the use of the SSL protocol at a gateway, which entails the sending from the

application program (fig. 3:340) to a gateway (fig. 3:320) "second session identifiers" for

a respective session corresponding to the first session identifiers (Aziz, fig. 3:330; 8:25-

33; Kocher, pg. 23 – "hello message", pg. 19). As can be seen by the SSL protocol.

these second session identifiers, used to continue a secure communication session

between the gateway and application program, are sent from the application program.

wherein respective connections are established between the mobile

communications devices and the application program (Aziz, fig. 3:[300.1 – 300.M], fig.

15 3:340).

and in response to subsequent communications from the mobile devices to the

17 *application program* (Aziz, 7:58-64; 8:25-32),

while the respective connections between the mobile devices to the application

program are established (Aziz, fig. 3:[310.1 – 310.M], fig. 3:340) and for

communications within the respective sessions (Aziz has disclosed that these separate

sessions between the devices and application program are for communication, 6:29-

22 44),

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transmitting from the gateway module to the application program the second session identifiers that are associated with the first session identifiers of the mobile devices of the subsequent communications (8:25-32). Herein, Aziz discloses that subsequent communications from a device result in a SSL session, comprising the sending of session identifiers that correspond to the identifiers of the session initiated by the mobile device.

Regarding claim 2, Aziz discloses:

receiving requests of a first type from the mobile devices at the gateway module and transferring the first type requests to an authentication module that manages user authentication (8:66 – 9:5);

and when a user at a mobile device has not logged-in to the authentication module, transmitting a log-in prompt from the authentication module to the mobile device in response to a request of the first type from the mobile device (9:3-5,23-29). Herein, Aziz discloses that when the server requires client authentication, the server requests (the client is prompted) that the client transmit log in information.

Regarding claim 3, Aziz discloses:

generating at the authentication module respective authentication identifiers for the first session identifiers and associating the authentication identifiers with corresponding first session identifiers (2:11-15, 31-36; 8:66 – 9:5,23-29). Herein, Aziz

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discloses that resulting at the authentication module ("generating"), are authentication 1 2 identifiers associated with the identifiers of the session. 3 4 Regarding claim 4, it is the apparatus implementing the method of claim 1, and it 5 is rejected, at least, the same reasons. 6 7 Regarding claims 11 – 13, they are system implementing the method of claims 1 8 - 3, and they are rejected, at least, for the same reasons. Furthermore, Aziz discloses 9 a "mobile interface", an interface to connect with a plurality of mobile devices (fig. 3). 10 11 Claim Rejections - 35 USC § 103 12 13 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all 14 obviousness rejections set forth in this Office action: 15 (a) A patent may not be obtained though the invention is not identically disclosed or described as set 16 17 forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the 18 19 invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. 20 21 22 23 Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable 24 over Aziz in view of Davis et al. (Davis), U.S. Patent 6,367,009. 25 26 Regarding claim 5, it is a method substantially similar to the method of claim 1.

and it is rejected, at least, for the same reasons. Furthermore, Aziz discloses

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1 applications of client – server technology within e-commerce and banking systems.

- 2 Thus, Aziz makes clear that sessions between clients and a server are sessions
- 3 between clients and a "merchant" application (1:40-55). Additionally Aziz, discloses that
- 4 client devices can be wireless devices such as cell phones (7:4-18). However, Aziz
- 5 does not explicitly disclose that a wireless device would establish a session with the
- 6 gateway using wireless means, and therefore, that session identifiers are associated
- 7 with wireless sessions.

Davis, in a substantially similar disclosure as Aziz, discloses that a wireless 8

device (client) can utilize its wireless functionality to establish wireless sessions (fig. 3;

10 7:30-39, 8:44-67).

> It would have been obvious to one of ordinary skill in the art to employ the teachings of Davis within the system of Aziz. This would have been obvious because one of ordinary skill in the art would have seen logical the use of a wireless device to establish a wireless session. Thus, the combination of Aziz and Davis discloses the use of a wireless device to establish a SSL session wirelessly, and therefore, that the session identifiers would be wireless session identifiers.

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Regarding claim 10, it is the apparatus implementing the method of claim 5, and it is rejected, at least, the same reasons.

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Claims 6 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Aziz and Davis, in view of Sparks et al., "Design and

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1 Production of Print Advertising and Commercial Display Materials Over the

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2 Internet", U.S. Patent 6,167,382.

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Regarding claim 6, the combination of Aziz and Davis does not disclose receiving checkout requests from the wireless communication devices at the gateway module and transferring the checkout requests to a wallet module that manages user authentication. Instead, the combination of Aziz and Davis discloses a generic system for establishing communications between a client and a server via a gateway (Aziz, figs. 2 and 6). The client and server each establish a secure session connection with an intervening relay. The relay then enables communications between the client and the server. The combination of Aziz and Davis discloses that this system is used as an improvement to various publicly available systems such as electronic commerce and shopping systems where the authentication and encryption of information is necessary (Aziz, col. 1, lines 42-47; col. 3, lines 1,2). However, it was not the purpose of the combination of Aziz and Davis to discuss the methods and features specific to the e-commerce and shopping systems. Thus, the combination of Aziz and Davis does not disclose methods such as receiving checkout requests, transmitting payment options, or using wallet identifiers. Sparks discloses a system that features the electronic commerce methods of receiving checkout requests, transmitting payment options, and using wallet identifiers

21 It would have been obvious to one of ordinary skill in the art to combine 22 electronic commerce features, such as those disclosed by Sparks, with the generic

(Sparks, col. 2, lines 36-49; col. 17, lines 12-26).

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- 1 system of the combination of Aziz and Davis for establishing communications because it
- 2 is obvious that a generic system designed to enhance electronic commerce (Aziz, col.
- 3 1, lines 42-47) would need to features to enable electronic commerce.
- 4 Thus, the combination of Aziz, Davis, and Sparks discloses:
- 5 receiving checkout requests from the wireless communication devices at the
- 6 gateway module and transferring the checkout requests to a wallet module that
- 7 manages user authentication (Sparks, col. 2, lines 36-49);
- 8 when a user at a wireless communications device has logged-in to the wallet
- 9 module, transmitting payment options from the wallet module to the wireless
- 10 communications device in response to a checkout request from the wireless
- 11 communications device (Sparks, figs. 3, 4, 9, 59, 60);
- when a user at a wireless communications device has not logged-in to the wallet
- module, transmitting a log-in prompt from the wallet module to the wireless
- 14 communications device in response to a checkout request from the wireless
- 15 communications device (Sparks, figs. 3, 4).

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- 17 Regarding claim 7, the combination of Aziz, Davis, and Sparks disclose:
- 18 generating at the wallet module respective wallet session identifiers for the
- 19 wireless session identifiers and associating the wallet session identifiers with
- 20 corresponding wireless session identifiers in a wallet session identifier table (Sparks,
- 21 figs. 21 23).

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Regarding claim 8, the combination of Aziz, Davis, and Sparks disclose: in response to a payment request from a wireless communications device. transmitting the payment request from the gateway module to the merchant application (Sparks, col. 10, lines 37-64; Aziz, fig. 2); disassociating the wireless session identifier from the corresponding merchant session identifier (Aziz, col. 2, lines 57-67; col. 6, lines 45-55). Unless session resumption procedures have been initiated by the client or the server, the session identifiers of the client are not re-associated with the corresponding session identifiers of the server, therefore, they are disassociated.

generating a new wireless session identifier for the wireless communications device when another initial request is received from the wireless communications device (Aziz, col. 6, lines 45-55). New sessions can be requested by the client.

Regarding claim 9, the combination of Aziz, Davis, and Sparks implies *clearing* inactive entries from the wallet session identifier table. Electronic systems are not limitless in means for storage and operation. If unnecessary information was never cleared from memory, eventually such systems would reach their limits of storage. Therefore, it would have been obvious to one of ordinary skill in the art to clear inactive entries from the table in order to free and efficiently use a limited amount of memory.

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## 1 Response to Arguments 2 3 Applicant's arguments filed 6/27/06 have been fully considered but they are not persuasive. 4 5 6 Applicant argues primarily that Aziz does not teach the limitations of claims 1 – 4 7 and 11 - 13 because: 8 9 Aziz creates an end-to-end secure transmission link from a client to a relay and (i) 10 from the relay to a server (C 7, L 54-64) using a handshaking session. (Remarks, pg. 7). 11 12 In reality, the examiner respectfully points out that Aziz discloses the creation of 13 secure transmission links - i.e. a secure link between client to relay (fig. 3:310) and a 14 secure link between server and relay (fig. 3:330). 15 16 Freier clearly teaches that the server creates session identifiers (P18, P21). 17 Thus, it would appear that Aziz' relay creates a session identifier for use between the 18 relay and the client, and Aziz' server creates another session identifier for use between 19 the server and the client. There is no apparent suggestion by Aziz that a session 20 identifier generated by Aziz' relay in response to a request from a client, is then 21 transmitted to Aziz' server. Nor is it reasonable to conclude from Freier's teachings that

Aziz' relay transmits a session identifier that it generated to a server. (Remarks, pg. 7)

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In response, the examiner respectfully points out that it appears the applicant misinterprets the teachings of Aziz and Freier. Freier simply evidences the nature of the SSL protocol being used between communicating entities, using the relative terminology of "client" and "server". As is shown by Aziz and by the rejection of claim 1, Aziz discloses the creation of an SSL link between the relay and the server, in response to communications received by the relay from the client. The employment of the SSL protocol between communicating entities ("relay" and "server") entails the relay generating a hello message containing session identifiers (Kocher, pg. 21 – "hello message") and sending the message and identifiers to the server.

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(ii) The amendments to claims 1,4, and 11 further clarify that Freier does not teach the transmitted second session identifiers from the gateway module to the application program. (Remarks, pg. 8)

In response, the examiner respectfully reminds the applicant that Freier is evidenced simply to teach the nature of the SSL protocol (the creation and sending if SSL session identifiers between communicating entities), and not to show elements of a gateway module or application program.

The claim limitations clarify that the second session identifiers are transmitted while the respective connections between the mobile devices to the application program

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- 1 are established and for communications within the respective sessions. Freier's
- transmission of session identifiers is apparently for resuming a previous session or 2
- 3 duplicating an existing session (page 18). Thus, the claimed subsequent
- communications exclude both the resumption and duplication of a session, and neither 4
- 5 Aziz nor Freier are shown to teach the claim limitations. (Remarks, pg. 8)

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USPQ2d 1057 (Fed. Cir. 1993).

In response, the examiner makes note that the added limitations within the amended claims refer to respective connections and sessions between mobile devices and an application program. Aziz shows respective connections and sessions (fig. 3:[310.1 - 310.M]; fig. 3:330.1 - 333.N) between devices (fig. 3:[300.1 - 300.M]) and a

10 11 application program (fig. 3:340).

Furthermore the examiner points out, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., subsequent communications exclude both the resumption and duplication of a session) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26

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Applicant also argues that the prior art does not teach the limitations of claims 5 - 10 because:

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(i) The alleged motivation for combining Davis with Aziz is not supported by evidence and improper. Therefore, the rejection of claims 5 and 10 should be withdrawn because a prima facie case of obviousness has not been established. (Remarks, pg. 8)

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In response, the examiner notes that the applicant does not provide adequate support for the above argument, and the examiner finds the argument to be unpersuasive.

(ii) The Office Action cites Sparks' col. 2, I. 36-49. However, there is no apparent element in this portion of Sparks that corresponds to the gateway module at which checkout requests are received. Nor is there any apparent element that corresponds to the claimed wallet module to which the checkout requests are sent. (Remarks, pg. 9)

In response to applicant's arguments against the references individually (i.e. there is no apparent element in this portion of Sparks that corresponds to the gateway module), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Furthermore, the examiner points out that the combination of Aziz, Davis, and Sparks discloses a system that features the electronic commerce methods of receiving checkout requests by a server from a client, using wallet identifiers, and transmitting

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| 1  | payment options via a server ("wallet module") that serves the requests (Aziz, fig. 3; |
|----|--|
| 2  | Sparks, fig. 3, 4, 9, 59, 60; col. 2, lines 36-49; col. 17, lines 12-26).              |
| 3  |  |
| 4  | (iii) applicant asserts regarding claim 8:   |
| 5  | As explained above in regards to claim 6, Sparks is not shown to teach the             |
| 6  | claimed gateway module and operations thereof. (Remarks, pg. 9)                        |
| 7  |  |
| 8  | The examiner finds this argument to be unpersuasive in view of the reasons of          |
| 9  | record.  |
| 10 |  |
| 11 |  |
| 12 |  |
| 13 | Conclusion   |
| 14 |  |
| 15 | The prior art made of record and not relied upon is considered pertinent to            |
| 16 | applicant's disclosure.  |
| 17 |  |
| 18 | See Notice of References Cited.  |
| 19 |  |
| 20 | THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time              |
| 21 | policy as set forth in 37 CFR 1.136(a).  |

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1 A shortened statutory period for reply to this final action is set to expire THREE 2 MONTHS from the mailing date of this action. In the event a first reply is filed within 3 TWO MONTHS of the mailing date of this final action and the advisory action is not 4 mailed until after the end of the THREE-MONTH shortened statutory period, then the 5 shortened statutory period will expire on the date the advisory action is mailed, and any 6 extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of 7 the advisory action. In no event, however, will the statutory period for reply expire later 8 than SIX MONTHS from the mailing date of this final action. 9 Any inquiry concerning this communication or earlier communications from the 10 examiner should be directed to Jeffery Williams whose telephone number is (571) 272-11 7965. The examiner can normally be reached on 8:30-5:00. 12 If attempts to reach the examiner by telephone are unsuccessful, the examiner's 13 supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone 14 number for the organization where this application or proceeding is assigned is 571-15 273-8300.

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1 Information regarding the status of an application may be obtained from the 2 Patent Application Information Retrieval (PAIR) system. Status information for 3 published applications may be obtained from either Private PAIR or Public PAIR. 4 Status information for unpublished applications is available through Private PAIR only. 5 For more information about the PAIR system, see http://pair-direct.uspto.gov. Should 6 you have questions on access to the Private PAIR system, contact the Electronic 7 Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a 8 USPTO Customer Service Representative or access to the automated information 9 system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000. 10 11 12 Jeffery Williams AU: 2137 13 14

> EMMANUEL L. MOISE SUPERVISORY PATENT EXAMINER